

The Regular Town Council Meeting of the Town of Schererville, IN was called to order by President Thomas Schmitt at 7:12 p.m. in the Schererville Town Hall, 10 E. Joliet Street Schererville, IN.

Attendance was taken with the following Council Members present: Caleb S. Johnson, Kevin Connelly, Robin Arvanitis, Rob Guetzloff and Thomas Schmitt. Staff members present: Attorney David Austgen, Fire Chief Robert Patterson, Deputy Fire Chief David Meyer, Police Chief Pete Sormaz, Deputy Police Chief Steve McNamara, Park Superintendent John Novacich, IT Robbie Hansen, Town Engineer Neil Simstad, Director of Public Works Chad Nondorf, Director of Operations Andy Hansen, Town Manager Jim Gorman, Clerk-Treasurer Michael Troxell and Recording Secretary Robin Thiel.

THEREUPON, Approval of the minutes. Mr. Guetzloff made a motion to approve the minutes of the January 17, 2024 Public Meeting, seconded by Mr. Johnson. All in favor (5-0).

THEREUPON, Claims

- A. APV #112526 - APV #112992 on the General Docket, Totaling \$3,502,652.99
- B. APV #112528 - APV #112987 on the MVH Docket, Totaling \$169,303.14
- C. APV #112625 - APV #112935 on the Payroll Docket, Totaling \$1,227,474.70
- D. Various Funds, First National Bank of Omaha, Credit Card Charges, \$15,980.93
- E. Various Funds, Austgen Kuiper Jasaitis, January Legal, \$9,265.92
- F. General Fund - Administration, Lake County Auditor, 2023 Election Expense, \$45,684.02
- G. Various Funds, Peterson Consulting Services, 2023 Capital Asset Prep, \$4,005.30
- H. Various Funds, Liberty Mutual, Board of Safety Bond, \$43.00
- I. Public Safety Fund, Franciscan Crown Point Ems Academy, Installment #2-Jason Noto, \$1,500.00
- J. Various Funds, International Institute of Municipal Clerks, M. Troxell Membership Renewal, \$250.00
- K. Cable TV Fund, Business Purchasing Solutions, December Consulting, \$67.50
- L. ARPA Fund, Millies Engineering Group, Invoice #1223001, \$12,261.33
- M. Ambulance Fund, Eservices Technology, Various Invoices, \$30.00
- N. Various Funds, Auto Wares, Parts, \$24,297.04
- O. Various Funds, Menards, Parts/Supplies, \$3,493.82
- P. Cable TV Funds, esri Annual Renewal, \$4,515.12

Mr. Guetzloff made a motion to accept the claims as presented, seconded by Mr. Johnson. All in favor (5-0).

THEREUPON, Correspondence NONE

THEREUPON, Reports

Fire Chief Patterson reported that the Fire Department responded to 283 EMS calls and 77 fire calls for a total of 360 calls for the month of January.

Mr. Novacich reported that the Park Department has their annual Healthcare coming up Thursday, February 22<sup>nd</sup> at the Community Center from 3:00 pm to 6:00 pm. He stated that it is open to the public and it's free. He stated they have about 40 health vendors that will be there.

THEREUPON, Public Comments Regarding Agenda Items

Mr. Schmitt stated that there is a member in the audience that has an item she would like to speak to us about.

Alexis Buenrostro, Northwest Indiana resident stated "I'm an educator and most importantly I'm the mother of a disabled child named Noah. Noah is six years old, he's non-verbal and has profound autism. My son makes up a small percent of a wide range of disabled people in the State of Indiana who are struggling to find a safe place in our community. I stand before you to discuss a matter close to the heart of our community the importance of inclusion in

a world that moves rapidly, it's essential to ensure that no one is left behind especially our fellow citizens who are disabled, who may not speak for themselves. I would like the council and the audience to think about their childhood for a little bit, what did you like to do, did you like to swim, play baseball and play sports, or maybe you guys were more like me and enjoyed music or even art. I was in several activities growing up, I loved being on stage and performing, I had easy access to this type of activity and most of us in the room probably had the same. However, for disabled individuals like my son Noah and many others like him, they don't have the option. A whole group of individuals who don't have the same luxury of finding activities they enjoy just like we did. Yes, I know our town has been trying to include us in events but it's not working for most of us. We don't always feel welcomed in spaces in our community and I know the Town of Schererville has been asking the community what to do with the unoccupied space at the old Illiana racetrack. Our neighborhood has enough stores, it has enough restaurants and it has enough car dealerships. It's time our community gives back to those who have been ignored. In the unoccupied space at Illiana Speedway I think it would be great to have a center for disabled individuals that allow them to be who they are truly. I envision a place where they can take art classes, music classes and even participate in sports teams, because they can participate, they can be part of these things in a place where they are accepted and surrounded by people like them and people who know how to work with them. This does wonders to their development. We live in the Midwest where our winters are not very kind, my family struggles to find places to take my son because there are no places for him. By opening a center specifically designed for individuals with special needs we take a significant step toward creating a more inclusive Society where everyone has equal opportunities to engage in recreational activities. The establishment of a space designed for special individuals is not merely a project, it's a profound statement of Our Community Values emphasizing inclusivity, understanding and support by dedicating resources to create this inclusive space. We affirm that everyone deserves to find happiness. I urge the council to lead with empathy and vision by making this project a reality and including those who can make this project a success, let's make inclusivity our Legacy, sincerely Noah's voice".

Mr. Schmitt stated they are working on the Illiana project and the majority of that will be recreation, so we definitely will take your comments to heart and work with our Park Superintendent on programs and stuff.

Ms. Buenrostro stated she has been emailing with the public, with the Parks Department, "I've been emailing them since last week and I've been in contact with them. I know you guys have been working on developing this, I just been giving input on how to make that more inclusive. A lot of our parents work, a lot of it is some things that really aren't designed for our children and we appreciate that you guys are trying to reach that out but we really need families to be involved with their voices to tell you how you guys can help".

#### THEREUPON, Reports

Mr. Johnson stated that the Council wasn't asked if they have any reports. He has a report.

Mr. Johnson stated that at the December meeting this past year, December 2023, the Town Council had appointed some board members and one in particular, the safety board member was objected to by myself and Mr. Connelly. He stated he was appointed as a Republican appointee, he was not a Republican and has officially resigned from that appointment now.

Mr. Johnson made a motion to replace and appoint a true Republican, Anthony Ferraro, who is in the audience here today to take that position on the Safety Board for 2024 through 2027, seconded by Mr. Connelly.

Mr. Schmitt stated that the gentleman that was appointed was a Republican because it had to be a party appointment. He stated the law changed back in June or July of last year, where he had to vote for two consecutive years in a row as a Republican. We found out that wasn't the case, we followed the attorney's advice and that resident resigned. He stated that the gentleman also has the chance to vote in May, which early voting would be in April. Mr. Schmitt stated that his recommendation is to leave that vacant for just two months until the resident can vote for his second Primary in a row.

Mr. Connelly stated he doesn't think we should leave that seat vacant for any time at all. He stated that the fact of the matter is he was not a valid Republican and that was proven and that's why he resigned. Mr. Connelly stated that Mr. Johnson and he feel this is a Republican appointment and it should be their choice. Mr. Ferraro is a true Republican, a valid Republican, by State Statute that should be our appointment and this is our motion and our second.

Mr. Schmitt stated that we have a motion and a second on the floor, he asked Mr. Troxell to take roll call. Mr. Johnson - Yes; Mr. Connelly - Yes; Mrs. Arvanitis - No; Mr. Guetzloff - No; Mr. Schmitt - No. Motion denied (3-2).

THEREUPON, Old Business

ITEM A. Ord. #1999, An Ordinance Annexing Certain Contiguous Land to the Town of Schererville, Lake County, Indiana, Repealing Town Annexation Ordinance No. 1978, and all Matters Related Thereto (**Second Reading**)

Petitioner: Brian Lantz  
Location: 12010 W. 85<sup>th</sup> Avenue  
10300 W. 85<sup>th</sup> Avenue  
Part of 10304 W. 85<sup>th</sup> Avenue

Mr. Gorman stated that the first reading of this ordinance was completed in December of last year. He stated the public hearing was held in January of this year and this is the last part of this annexation process. Mr. Gorman stated they are looking for approval and adoption tonight.

Mr. Johnson made a motion to adopt Ordinance #1999, seconded by Mr. Guetzloff. All in favor (5-0).

THEREUPON, New Business

ITEM A. Res. #2024-2, A Resolution to Transfer Funds within A Category of Appropriations

Mr. Troxell stated when they were going through the end of year close out they identified that there was a couple of transfers that needed to be corrected in order to close out the year. He stated that one was for \$200,000.00 and the other one was for three cents.

Mr. Guetzloff made a motion to approve Resolution #2024-2, seconded by Mr. Johnson. All in favor (5-0).

ITEM B. Award Bid for Road Materials

Mr. Nondorf stated that on February 9, 2024, bids were opened publicly and read aloud. He stated the bids were taken under advisement for evaluation.

Asphalt Paving Materials and Services. Mr. Nondorf stated they only received one bid for our yearly asphalt services contract from Rieth Riley Construction Co., Inc. Mr. Nondorf stated his recommendation is to award the 2024 yearly paving services and materials contract to Rieth Riley Construction Co.

Poured-in-Place Concrete Materials and Services. Mr. Nondorf stated that three bids were received, one from Colby & Co., H3 Concrete Co. and Rieth Riley Construction Co., Inc. He stated that this recommendation is to award the bid for 2024 Poured-in-Place Concrete work to H3 Concrete Construction Company.

Road Materials - Stone, Gravel, Black Dirt and Sand. Mr. Nondorf stated that two bids were received. He stated pricing submitted reflects a small increase over 2023 pricing. He stated that bids were received from Rieth Riley Construction Co., and Walter's Excavation. Mr. Nondorf stated his recommendation is to award the bid to Walter's Excavation.

Concrete Disposal Services. Mr. Nondorf stated no bids were received for concrete disposal. He stated he will be emailing local contractors with concrete crushing machines for pricing. He stated the concrete disposal services will not exceed \$150,000.00.

Mr. Johnson made a motion to approve Asphalt Paving and Material Services be awarded to Rieth Riley Construction Co., the Poured-In-Place Concrete Materials be awarded to H3 Concrete Construction Company, and the Road Materials be awarded to Walter's Excavation, seconded by Mr. Connelly. All in favor (5-0).

ITEM C. Award Bid for Garbage Service

Mr. Gorman stated that they had a bid opening last week for Garbage Service and they only received one bid. He stated it was from Republic Services for garbage and recycling pickup. Mr. Gorman stated this is just for accepting their bid and we will award the contract at the next Town Council Meeting in March.

Mr. Guetzloff made a motion to approve, seconded by Mr. Connelly. All in favor (5-0).

ITEM D. Consider Acceptance of Change Order #1 from Milestone Contractors North, Inc., for the Community Crossing Match Grant 2023-1 (\$29,858.25 Decrease)

Mr. Gorman stated that the change order is a decrease for quantities that we didn't end up needing to complete the project.

Mr. Johnson made a motion to accept Change Order #1, seconded by Mr. Connelly. All in favor (5-0).

ITEM E. Consider Approval of Pay Request #1 from Milestone Contractors North, Inc., for the Community Crossing Match Grant 2023-1 (\$1,397,359.75)

Mr. Gorman stated that this is the one and only pay request that we received from Milestone for 2023-24.

Mr. Johnson made a motion to approve Pay Request #1 from Milestone, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM F. Consider Acceptance of Donations - \$6,748.28

Mr. Troxell read the donations for the month of January into the record.

Mr. Guetzloff made a motion to accept the donations as read, seconded by Mrs. Arvanitis. All in favor (5-0).

THEREUPON, Business from the floor

Anthony Ferraro 1429 St. Andrews stated "my comments will be addressed directly to Mrs. Arvanitis, Mr. Schmitt and Mr. Guetzloff. When I applied for the Safety Board appointment it was based on my years of experience in supporting law enforcement all over Northwest Indiana. I've had the privilege of working with both of the gentlemen to my right along with many of our officers and

Public Safety employees. We have delivered on PAD training, physical security assessment training from federal law enforcement in Georgia and Washington. That training is specifically designed to keep our places of worship and our children and our schools safe. We've delivered TF training, we've coordinated with a myriad of agencies both Federal, State and County, the Indiana Department of Education, Director Balco in our schools throughout our community. All of these things I have done, all of these things is what I wanted to do if allowed to keep our community safe, the community I and everyone here lives in, that our children living in and yet this evening for some reason we've decided to double down on the political chicanery that went on in the December meeting and you three have decided that you would rather keep a Public Safety Board empty than to avail the community of that acumen contacts and available training that can come to work here on day one. Do you have such little regard for the citizens of this community of which I am one and our children, of which I have two, do you have such little regard for the Public Safety employees to my right and the rest in their departments that you would choose to leave a board appointment empty? Public Safety is the foundation upon which any Community rests today, you've decided that's not important, what is important is Politics the board appointment you seem so set on happens to be the husband of a primary challenger to Caleb Johnson, coincidence, this is disgusting Cook County politics and I expect better out of public servants and elected leaders. I would highly encourage you to reconsider your decision this evening."

Kevin Dean 1905 Sir Richard Road in Schererville. He stated this issue with the safety position. I'm new to Schererville, I've been here for less than two years, I have not voted in two primaries. He stated there was an open position for the Republican vote coming up and I tried, went and enlisted to get on the ballot I was informed that I was not allowed to be on the ballot because I had not voted in two primaries. There is a way around this situation and that is to have the chairman, I believe of the Lake County Republican party sign off on it and he did so for me, so I am now able to be on the Republican ticket. He asked have you gentleman and lady asked if the Republicans are willing to sign off on that so this man can be your appointment immediately, and if not then are you circumventing the situation because as it's been stated earlier, it sounds like you have a very qualified candidate already available to you. Thank you.

Meeting adjourned.

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THOMAS SCHMITT  
TOWN COUNCIL PRESIDENT

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Michael A. Troxell, IAMC, CMC, CPFIM, CMO  
TOWN CLERK-TREASURER

A TRUE COPY